

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA

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U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
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DEPUTY

UNITED STATES OF AMERICA

vs.

Robert Andis
Defendant

00-7112 m
ORDER OF DETENTION PENDING TRIAL

Case Number: CR-S-MAY-00-2187-M

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I - Finding of Fact

- (1) The defendant is charged with an offense described in 18 U.S.C. §3142(f)(1) and has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is:
 - a crime of violence as defined in 18 U.S.C. §3156(a)(4).
 - an offense for which the maximum sentence is life imprisonment or death.
 - an offense for which a maximum term of imprisonment of ten years or more is prescribed in _____.*
 - a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. §3142(f)(1)(A)-(C) or comparable state or local offenses.
- (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding (1).
- (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

- (1) There is probable cause to believe that the defendant has committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in _____ under 18 U.S.C. §924(c).
- (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings (B)

- XX (1) There is a serious risk that the defendant will not appear.
- XX (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Part II - Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes by (clear and convincing evidence) (a preponderance of the evidence) that:

Defendant appears before this Court on a charge by Complaint/Indictment of interstate
transportation of a minor

The Court deems the defendant to pose a risk of non-appearance because Defendant has been a
resident for five months; lacks any financial property, or
family ties; defendant's background remains unverified;
defendant's lack of candor regarding his arrest history;
and defendant's use of alias names.

The Court deems the defendant to pose a danger to the community because of the nature of
present alleged offense, which involves a minor.

There is no personal background information on which to base a recommendation for conditional release. The Court
deems there is no condition or combination of conditions that would reasonably assure the defendant's appearances at
future court proceedings or provide for the safety of the community.

____ Defendant is currently serving a sentence for the State of Nevada and is not eligible for parole until
____. The defendant does not contest detention.

____ Defendant is currently serving a period of incarceration for the State of Nevada and appears pursuant to a
Writ. The defendant does not contest detention.

Part III - Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: July 29, 2000

I hereby attest and certify on 7-25-00
that the foregoing document is a full, true and correct
copy of the original on file in my office, and in my legal
custody.

Valerie P. Cooke
Signature of Judicial Officer

Valerie P. Cooke, U.S. Magistrate Judge
Name and Title of Judicial Officer

U. S. MAGISTRATE JUDGE
DISTRICT OF NEVADA

By [Signature] Deputy

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

UNITED STATES DISTRICT COURT -- EASTERN MISSOURI
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C. L. F.